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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Letter dated 19 April 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairperson of the Commission on Human Rights

I have the honour to transmit, enclosed herewith*, a letter, dated 16 April 1999, from His Excellency Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to Mr. Kofi Annan, United Nations Secretary-General. I would like to ask you to have it circulated as an official document of the fifty-fifth session of the Commission on Human Rights under agenda item 9.

(Signed) Branko BRANKOVIC
Ambassador
Chargé d'Affaires a.i.

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* The annex is reproduced as received, in the language of submission only.

GE.99-13364 (E)

Courtesy translation

Federal Republic of Yugoslavia
Federal Minister for Foreign Affairs

16 April 1999

Excellency,

Following my letter addressed to you on 31 March 1999 and my letters to the Security Council of 1 February and 17 March 1999, as well as the letter of the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations of 24 March 1999 in which we requested an urgent action of the Security Council because of the criminal aggression of NATO against the Federal Republic of Yugoslavia, allow me to note that nothing has been done thus far to condemn and halt this brutal aggression against my country and to stop the threats to international peace and security and protect the Charter of the United Nations which was flagrantly violated by NATO.

The failure of the Security Council to act and the blockade of its work only encourage the proponents of aggression and contribute to the further perilous endangering of international peace and security, bringing into question the international legal order and the very existence of the United Nations.

Therefore I call on you once again to condemn without delay the aggression of NATO, halt NATO crimes against peace and humanity and protect the rights and the Charter of the United Nations. It is your bounden duty in view of the dramatic daily rise of mass civilian casualties and the destruction of the aggressor throughout Yugoslavia.

As to your letter of 9 April 1999 addressed to the President of the Federal Republic of Yugoslavia, Slobodan Milosevic, I am authorized to inform you of the positions of my Government, enclosed in the Annex to this letter. These positions are principled, constructive and based on facts and law.

Your sincerely,

Zivadin Jovanovic (signed)

H.E. Mr. Kofi ANNAN
Secretary General
United Nations
New York

A N N E X

The NATO aggression has endangered international peace and security and violated the United Nations Charter and undermined the very foundations of the international legal order. It is an imperative that the United Nations Security Council undertakes urgent measures to condemn most strongly and to halt the NATO aggression against the Federal Republic of Yugoslavia, an independent, sovereign country and a founding member-State of the United Nations and to request the withdrawal of foreign forces built up by NATO at the borders of the Federal Republic of Yugoslavia threatening thereby to escalate the aggression.

Kosovo and Metohija is a multiethnic, multicultural and multiconfessional province of the Republic of Serbia in which all citizens are equally treated and protected by the authorities. There has not been, and there is no campaign of "intimidation" or "expulsion" of civilian population. The NATO aggression and bombing started on 24 March 1999 causing enormous destruction of civilian buildings and mass civilian casualties, which is a crime against peace and humanity and which caused at the same time an increased number of refugees and displaced persons.

Kosovo and Metohija is an inseparable part of the Republic of Serbia,, i.e. of the Federal Republic of Yugoslavia. There are police and military forces in this province which perform their duties in accordance with the Constitution and the law. All activities of our forces against the terrorist so-called KLA ceased at 8 p.m. on 6 April 1999 and the cessation is still in force.

Nothing but NATO bombs threatens peace in Kosovo and Metohija. NATO daily mass bombings represent the only obstacle to the stabilization of life and to the return to the course of political process. Our forces in Kosovo and Metohija represent a defence against the NATO aggression and serve as a shield against NATO troops built up in Albania and Macedonia and against aggression carried out from the territory of the Republic of Albania under the protection and with the assistance of NATO.

Once the aggression is ended and NATO troops are withdrawn from the Yugoslav borders the level of military and security forces will be immediately reduced to peace-time conditions. It is incomprehensible to request the withdrawal of the legitimate forces of a sovereign State from its own territory, instead of calling for an urgent ending of foreign military aggression, killing of civilians and destruction of civilian targets.

Safe return of refugees and displaced persons is the priority of our policy. By their Joint Statement of 6 April 1999, the Federal Government and the Government of the Republic of Serbia invited all citizens to stay on their land and those who had fled to return safely. The return of refugees and displaced persons is hampered by the systematic destruction of towns such as Pristina, Djakovica, Prizren, Decani and many others in which NATO demolished by its bombs thousands of houses, schools, hospitals, water supply systems,

religious buildings. The number of civilian casualties of the NATO aggression is dramatically increased each day, while over a million of citizens remains without any means for living because of the destruction of civilian, industrial and other facilities and public services. The same goal has been achieved by the bombing of an international train in the Grdelica Gorge when 55 people were killed and a great number of civilian passengers were injured, by the massacre of a convoy of ethnic Albanian refugees who were returning to their homes on the Djakovica-Prizren road when at least 75 civilians were killed, mostly women, children and the elderly, as well as by the bombing of the village of Srbica when seven children lost their lives.

The Federal Republic of Yugoslavia continues its efforts towards finding a peaceful, political solution through direct dialogue with the legitimate representatives of the national communities of Kosovo and Metohija. The talks started in the meeting between the President of the Federal Republic of Yugoslavia, Slobodan Milosevic, and Dr. Ibrahim Rugova on 1 April 1999 have been continued with the representatives of the Republic of Serbia and the Federal Republic of Yugoslavia (on 5, 8 and 16 April 1999).

The State is guaranteeing security to all its citizens and is also able to guarantee the implementation of a ratified peace agreement. International military or police forces are not necessary and are unacceptable on the Yugoslav territory.